

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Rogers et al. Art Unit : 3762  
 Patent No. : 6,957,107 Examiner : Carl Hernandez Layno  
 Issue Date : October 18, 2005 Conf. No. : 2700  
 Serial No. : 10/099,929  
 Filed : March 13, 2002  
 Title : METHOD AND APPARATUS FOR MONITORING AND COMMUNICATING  
 WITH AN IMPLANTED MEDICAL DEVICE

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

REQUEST TO CORRECT SMALL ENTITY STATUS

The undersigned has now discovered that the small entity status may have been erroneously established in the above referenced case. To the best knowledge of the undersigned, the small entity status was established in good faith, and fees as small entity were paid in good faith. However, the undersigned has now discovered that such status as small entity may have been established in error, and it appears that certain fees in the above referenced case may therefore have been erroneously paid at the small entity rate.

As required by 37 CFR 1.28(c), applicant herewith provides payment of the deficiency between the actual amount paid, and the amount due. These amounts include:

Title	Date	Paid Amount	New Amount	Deficiency
Response w/ extra claim fee	09/17/04	\$86	\$420	\$334
Response w/ 1 mo. ext of time	09/17/04	\$55	\$120	\$65
Response w/ 1 mo. ext. of time	03/07/05	\$60	\$120	\$60
Issue fee	08/11/05	\$700	\$1440	\$740
<b>Total:</b>				<b>\$1199</b>

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Attorney's Docket No.: 16491-010001

All errors that occurred were without deceptive intent and in good faith, to the best knowledge of the undersigned. Since Rule 28(c) indicates that the error will be excused upon payment of the deficiency, it is respectfully suggested that this paper cures any improper small entity status established in this case.

Please apply the above indicated amount and, any other applicable charges, to Deposit Account No. 06 1050.

Respectfully submitted,

Date: Feb. 24, 2008

  
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